

Town of Shrewsbury - Board of Selectmen
Richard D. Carney Municipal Office Building-Selectmen's Meeting Room
100 Maple Avenue
Monday, August 9, 2004 at 7:00 PM

Minutes

Present:

Bruce Card, Maurice DePalo, Philip Hammond, John Lebeaux, and Daniel Morgado, Town Manager. Mr. DePalo called the meeting to order at 7:04pm.

Preliminaries:

1. Approve bills, payrolls and warrants #04107S in the amount of \$395,133.64, #0507 in the amount of \$518,337.44, #0509 in the amount of \$286,614.65, #0510 in the amount of \$2,043,230.28, and #0512 in the amount of \$749,183.61.
2. Approve Minutes of July 26, 2004. Motion made, seconded and unanimously voted to approve.
3. Announcements – Mr. Card said that the catch basin at the corner of Sterling Street and Edgewater Avenue had rotted and needed to be replaced. Mr. Morgado will follow up. Mr. DePalo announced that the Fire & Police Department softball game to benefit the Special Needs program in Shrewsbury will take place on Saturday, August 21st at Dean Park. Tickets are \$5.00 at the game or in advance at the Parks & Recreation office. Mr. DePalo gave a brief update on the progress of the Oak Middle School project. Progress is slow but occupancy is expected by the first week in September. Teachers are scheduled to report on August 31st. Jackson construction is working very hard to get the work done but have a lot to do between now and the end of August.
4. Town Manager's Report - Nothing other than what is on the Agenda.

Meetings:

Public Hearings:

5. 7:05pm – Dennis Daly, 42 Harvard Avenue – Dog Complaint Hearing. Mr. DePalo reviewed the procedure for a dog complaint hearing and swore in Mr. and Mrs. Daly, James Colonies and Animal Control Officer Leona Pease. Officer Pease gave a report on the events leading up to the hearing. She had visited the Dalys and advised them on the various devices available to control barking and what they could do to rectify the problem before a hearing would become necessary. Mr. Daly had no interest in a bark control collar. However, Officer Pease said they must be controlling the dog better as she had not had a complaint within the past 14 days. The complainant, Mr. Colonies, said that he had not called recently as he knew the hearing was scheduled and the matter would be addressed. He added that the animal is still barking incessantly. Both Mr. and Mrs. Daly testified that the dog is maturing and developing more control and that they are bringing it in when it barks. After a discussion which included questions from the Board to all the concerned parties, motion was made, seconded and unanimously voted to close the hearing. A motion was made to find that the male Golden Retriever, Boomer, license number 2320 owned by Denis Daly, 42 Harvard Avenue, is a public nuisance by virtue excessive barking. Motion was seconded and unanimously voted. After a short discussion, motion was made to issue the following order pursuant to G.L. C. 140 s. 157, the dog named Boomer must be monitored by a responsible adult when outside to ensure that there be no further occurrence of excessive barking to the extent deemed to be a nuisance. Also, that the Dalys will take all necessary measures to comply with this order which should include a review of the numerous suggestions made by Animal Control Officer Pease. Motion was seconded and unanimously voted. In response to a question by Mr. Daly, Mr. DePalo advised that the order will be written tomorrow and that there is a ten day appeal period. An appeal would be pursued through the District Court.

Old Business:

6. Chief Sampson's response re Cherry Street. AA Transportation is located on Cherry Street and is allowed to use it. School bus drivers must learn to navigate the narrow streets they must pass through. Nothing Illegal. A traffic study of the area is scheduled for next week. In response to other inquiries not listed on the agenda, the Chief advised that the Cross Street trees did not obstruct the street. They are close to the street but not in it. He found no problem. In regards to a request for "Children Playing" signage on Birch Lane he also found no problem but added that if the resident wished to place a sign that would be a policy decision for the Board. The Board agreed, resident will be allowed to erect a sign at his own expense and in accordance with Town specifications.

7. Chief Sampson's response re signage at Bayview Drive & Edgemere Blvd. Intersection does not qualify for a stop sign, Yield sign may be appropriate. Amend Traffic Rules & Orders to erect a yield sign at Bayview Drive and Edgemere Blvd. for vote and signatures at August 23rd meeting.

New Business:

8. Sign State Primary Warrant for 9/14/04. Motion made, seconded and unanimously voted to sign State Primary Warrant.
9. Memo from Highway Supt. John Knipe re Stop Signs. Forward to Chief Sampson for opinion.
10. St. Mary's Catholic Church, 18 Summer Street, License for Family Festival/Carnival, Friday, September 17, 2004, 5:00pm-10:00pm, Saturday, September 18, 2004, 8:00am-10:00pm, Sunday, September 19, 2004, 12:00 noon-6:00pm. Motion was made, seconded and unanimously to approve the application as stated for St. Mary's Family Festival/Carnival.
11. Request from Charlene Paradise, 10 Spring Circle, to use Town Common for World Wide Candle Lighting, Sunday, December 12, 2004 from 5:00pm to 8:00pm. Motion was made to approve the request to use the Town Common with concurrent approval from the First Congregational Church. Motion was seconded and unanimously voted.
12. Memo from Chief Sampson re Traffic Regulations. Traffic maps to be sent to Board in August 13th packets. Amendments to Traffic Rules & Orders to be prepared for vote and signatures at August 23rd meeting.

Executive Session:

13. Value of real property and collective bargaining. Motion was made, seconded, and unanimously voted to adjourn into executive session at 8:49pm and not to reconvene for the purpose of discussing value of real property and collective bargaining. The Board was polled, Mr. Card, yes, Mr. Lebeaux, yes, Mr. Hammond, yes, and Mr. DePalo, yes.

Communications:

14. Noted copy mailed: Planning Board Meeting Agenda, 8/5/04
15. Noted copy mailed: MMA Action Alert #9, 7/23/04.
16. Noted copy mailed: Notice from ABCC re Regional Local Boards Training. Meeting to be held at Worcester City Hall on August 12th. BOS to contact office if they wish to attend.
17. Noted copy mailed: E-mail from Stephanie Ambra re Sherwood Middle Bldg Committee. Mr. DePalo will respond.
18. Noted copy mailed: Suburban Coalition membership information.
19. Noted copy mailed: Letter from Shaw's/Star Market Store, Shrewsbury re solicitations in store.
20. Noted copy mailed: Letter from Allyn Auction Co., Inc. outlining available services.
21. Noted copy mailed: Dept. of Transportation & Construction recommended bridge program for FY2005-2007.
22. Noted copy mailed: Press release from D.A. John Conte re disposition of criminal cases-Worcester Superior Court, Trial Court.
23. Noted copy mailed: Phase V Inspection & Monitoring Report, 298 Hartford Turnpike, from CEA, Inc.
24. Noted copy mailed: Notice from Arc of Innovation re Legislature Override Veto & Restored Partnership Funding.
25. Noted copy mailed: Letter from Thomas Rooney, 5 Birch Lane, re parks. Forward to Parks Dept. Mr. DePalo announced that the manager is currently accepting letters of interest for an opening on the Parks Commission through August 27th.
26. Noted copy mailed: ZBA Hearing Minutes, 6/29/04, David Macchia-MacNash Corp. d/b/a Jiffy Lube, 508 Boston Tpke.
27. Noted copy mailed: Letter from Charlene Paradise re memorial garden. Many requests are received for memorials on Town property. Hold for future agenda and discuss with other Town departments to put together policy/guidelines.
28. Noted copy mailed: Notice from DHCD of approval of Housing Plan. A lot of work involved in getting this approval.
29. Noted copy mailed: CMMPO Meeting Notice from CMRPC. Meeting on August 18th or 19th regarding final TIP.
30. Noted copy mailed: Water Resources Commission Meeting notice and agenda for 8/12/04. Shrewsbury is on the agenda and will be represented at this meeting.
31. Noted copy mailed: Request from Suburban Coalition to join and invoice for FY2005. No interest at this time.

Motion was made, seconded, and unanimously voted to adjourn into executive session at 8:49pm not to reconvene for the purpose of discussing value of real property and collective bargaining.

Respectfully submitted,

Janice C. McCoy
Secretary